

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

DECHAUN TOLIVER,	:	Case No. 2:23-cv-3143
	:	
Petitioner,	:	
	:	
vs.	:	District Judge James L. Graham
	:	Magistrate Judge Caroline H. Gentry
	:	
WARDEN JAY FORSHEY,	:	
	:	
Respondent.	:	
	:	

DEFICIENCY ORDER

Petitioner has filed a motion for leave to proceed *in forma pauperis* in connection with a writ of habeas corpus. (Doc. 1).

In order for the Court to properly assess whether or not petitioner has insufficient funds in his prison account to initiate this action without prepayment of fees, petitioner must have his institution of incarceration complete the certification portion of the application and affidavit to proceed without prepayment of fees form (completed and signed by the institutional cashier) showing the balance of his prison account.

IT IS THEREFORE ORDERED THAT within **thirty (30) days** of the date of filing of this Order, petitioner shall pay the full filing fee of \$5.00 or submit a completed Application and Affidavit By Incarcerated Person to Proceed Without Prepayment of Fees form, including the “Certificate” page (page 8 of the application and affidavit to proceed without prepayment of fees that is used in this Court, completed and signed by the institutional cashier) showing the balance of his prisoner account.

Petitioner is advised that his failure to comply with this Order will result in the dismissal of this action for want of prosecution.

The **Clerk of Court** is **DIRECTED** to submit to petitioner an “Application and Affidavit By Incarcerated Person to Proceed Without Prepayment of Fees” form.

The **Clerk of Court** is further **DIRECTED** to send a copy of this Deficiency Order to the cashier of the prison at which petitioner is confined.

IT IS SO ORDERED.

October 5, 2023

/s/ Caroline H. Gentry
CAROLINE H. GENTRY
United States Magistrate Judge